

## EXHIBIT A



Entered on Docket  
March 09, 2009

A handwritten signature in black ink, appearing to read "L. B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

Rob Charles (NV 6593)  
John Hinderaker (AZ 018024)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (520) 629-4427  
Facsimile (520) 879-4705  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)  
[jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)

**ORRICK, HERRINGTON &  
SUTCLIFFE LLP**

Marc A. Levinson (CA 57613)  
*pro hac vice*  
Jeffery D. Hermann (CA 90445)  
*pro hac vice*  
400 Capitol Mall  
Sacramento, California 95814  
Telephone: (916) 447-9200  
Facsimile: (916) 329-4900  
Email: [malevinson@orrick.com](mailto:malevinson@orrick.com)  
[jhermann@orrick.com](mailto:jhermann@orrick.com)

**SNELL & WILMER, LLP**

Robert R. Kinas (NV 06019)  
Claire Dossier (NV 10030)  
3883 Howard Hughes Parkway  
Suite 1100  
Las Vegas, Nevada 89169  
Telephone: (702) 784-5200  
Facsimile: (702) 784-5252  
Email: [rkinas@swlaw.com](mailto:rkinas@swlaw.com)  
[cdossier@swlaw.com](mailto:cdossier@swlaw.com)

*Attorneys for USACM Liquidating Trust*

*Attorneys for USA Capital Diversified Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>

Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF  
USACM TRUST TO PROOF OF  
CLAIM OF WILLIAM H. LENHART  
LIVING TRUST FILED IN WRONG  
DEBTOR'S CASE; AND SUSTAINING  
OBJECTION OF DTFD TO PROPOSED  
ALLOWANCE OF CLAIM**

Hearing Date: February 3, 2009  
Hearing Time: 9:30 a.m.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.



1 The Court having considered the "Objection of USACM Trust to Proof of Claim of  
2 William H. Lenhart Living Trust Filed in Wrong Debtor's Case; Objection of DTDF to  
3 Proposed Allowance of Claim" [Docket No. 6692] (the "Objection"); with appearances as  
4 set forth in the record at the hearing noted above; appropriate notice of the Objection  
5 having been given; no written response to the Objection having been filed; however  
6 Claimant contacted counsel for USACM Trust; and good cause appearing:

7 **IT IS HEREBY ORDERED** that:

- 8 1. The Objection is sustained;
- 9 2. Proof of Claim No. 10725-01572 is disallowed as against USA Commercial  
10 Mortgage and USA Capital Diversified Trust Deed Fund, LLC ("DTDF"). The order does  
11 not affect any claims of William Lenhart, or William H. Lenhart Living Trust related to  
12 direct lender investments in the Placer Vineyards Loan or Tapia Ranch; and
- 13 3. The William H. Lenhart Living Trust, William Lenhart, Trustee's equity  
14 interests in DTDF are allowed in the amounts of \$167,649.51, in account no. 3149; Patrick  
15 Lenhart or William Lenhart, \$24,821.42, in account no. 3127; and William Lenhart FBO  
16 Patrick Lenhart, \$60,144.76, in account no. 11571, totaling \$252,615.69 as reflected in the  
17 books and records of DTDF as of April 13, 2006.

**LEWIS  
AND  
ROCA**  
LLP  
LAWYERS

1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2 **LEWIS AND ROCA LLP**

**SNELL & WILMER, LLP**

3 By /s/ John Hinderaker (018024)

By /s/ Claire Dossier (010030)

4 Rob Charles

Robert R. Kinas

John Hinderaker

Claire Dossier

5 3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996

3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, Nevada 89169

6 Telephone: (520) 629-4427

Telephone (702) 784-5200

7 Facsimile: (520) 879-4705

Facsimile (702) 784-5252

and

8 *Attorneys for USACM Liquidating Trust*

**ORRICK, HERRINGTON &  
SUTCLIFFE LLP**

Marc A. Levinson

Jeffery D. Hermann

400 Capitol Mall, Suite 3000

Sacramento, California 95814-4497

Telephone: (916) 447-9200

Facsimile: (916) 329-4900

*Attorneys for USA Capital Diversified  
Trust Deed Fund, LLC*

13 APPROVED/DISAPPROVED

15 By: 

16 William H. Lenhart

18 APPROVED/DISAPPROVED

20 By: \_\_\_\_\_

21 August Landis

Assistant United States Trustee



In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in this case.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

Debtor's Counsel:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document
Other Party: William H. Lenhart	
<input checked="" type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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Submitted by:

**LEWIS AND ROCA LLP**

By: /s/ John Hinderaker  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*